

RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
TC/A.U. 1771
Serial No.: 10/021,637

Remarks

Claims 1-8, 10-12, 28, 29 and 35 were rejected under 35 U.S.C. 102(b) as being anticipated by Midkiff et al., U.S. Patent No. 5,707,735. Applicants respectfully traverse this rejection.

Before addressing this rejection, Applicants believe that it would be beneficial to describe the claimed invention. Applicants claimed invention is directed to a cleaning sheet which is used to clean an article or surface. The cleaning sheet of the present invention has the ability to pick-up and retain dirt, dust and/or other debris within the structure of the sheet. The nonwoven web of the claimed cleaning sheet is prepared from multicomponent, multilobal filaments. The filaments have a plurality of raised lobal regions separated by depressed regions. An additional feature of the present invention is that there are voids between the filaments which allow the structure of the cleaning sheet to pick-up and retain dirt, dust and/or debris.

Midkiff et al. is directed to a multilobal conjugate (multicomponent) fiber and nonwoven web prepared therefrom. The fibers of Midkiff et al. have a shape such that the lobes have legs and a cap, as is shown in the figures. The nonwoven fabrics of Midkiff et al. are described as being useful in air filtration applications and in personal care products. Midkiff et al. does not disclose that the nonwoven web may be used as a cleaning sheet.

To satisfy the cleaning sheet limitations of the claims, the Office Action pointed to Midkiff et al. at column 1, lines 19-22 wherein it states that nonwoven webs may be used as towels. Applicants point out that this statement in the Background section of the Midkiff et al. reference is a general statement regarding the uses of prior art nonwoven webs. Midkiff et al. does not disclose that the nonwoven web taught therein can be used a cleaning sheet, or even suggest that the nonwoven web would have utility as a cleaning sheet.

In order for a claim to be anticipated by a reference, all the limitations of the claim must be taught by the reference. Because Midkiff et al. does not teach that the fabric prepared from the fibers can be used as a cleaning sheet having dust, dirt and debris pick-up and retention, Midkiff et al. fails to anticipate claims 1-8, 10-12, 28, 29 and 35.

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Claims 9, 13-20, 31 and 36 were rejected under 35 U.S.C. 103 as being unpatentable by Midkiff et al., U.S. Patent No. 5,707,735. Applicants respectfully traverse this rejection.

In the statement of the rejection, the Office Action noted that Midkiff et al. does not disclose the density of the claimed nonwoven web as in claim 9 and does not teach the intermingling with the multicomponent multilobal filaments of pulp fibers as in claim 13 or of monolobal filaments as in claims 14-20. The Office Action stated, however, that column 12 of Midkiff et al. provides motivation to add different types of fibers. In this regard, the cited section of Midkiff et al. states, "In addition, mixtures of types and/or deniers of fibers is possible and would give different properties than a web comprised of one type and denier of fiber. For example, two widely varying denier fibers together in one web would produce a web having small and large pores while a web where all the fibers were about the same denier would produce a web having less variation in pore size."

With respect to the density, the Office Action states that one skilled in the art would be able to select a density for the appropriate use of the fabric through routine experimentation. However, as stated above Midkiff et al. does not teach that the nonwoven web disclosed therein has utility as a cleaning sheet. Therefore, one skilled in the art would not be motivated to experiment to discover the appropriate density for nonwoven web of Midkiff et al. so that it could be used as a cleaning sheet.

With respect to intermingling pulp fibers or monolobal filaments with the multicomponent multilobal filaments, Applicants point out that the statement such as "mixtures of types and/or deniers of fibers is possible" fails to teach that pulp fibers or monolobal filaments should be intermingled with the multicomponent multilobal filaments. The Office Action merely makes as a general statement that one skilled in the art would incorporate other fibers to adjust the properties of the web, but gives no specific reasons for intermingling the pulp fibers of claim 13 or the monolobal filaments or multicomponent multilobal filaments and/or mixtures of monocomponent monolobal and multicomponent monolobal filaments as in claims 14-20. No motivation is supplied in the Office Action why one skilled in the art would add the additional fibers to a cleaning sheet, especially in view of the fact that Midkiff et al. does not teach that the nonwoven web can be used as a cleaning sheet.

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In order for a claim to be rendered obvious, the invention as a whole, including all of the limitations of the claims, must be taught by the prior art relied upon. Again, it is pointed out that Midkiff et al. does not teach or suggest that the nonwoven web of the invention has utility as a cleaning sheet, and that the cleaning sheet would pick-up and retain particles under normal cleaning conditions. Therefore, Applicants respectfully request that this rejection be withdrawn.

Claims 21-27, 31 and 37 were rejected under 35 U.S.C. 103 as being unpatentable by Midkiff et al., U.S. Patent No. 5,707,735, in view of Braun et al., U.S. Patent No. 4,778,460. Applicants respectfully traverse this rejection.

The Office Action relies upon Braun et al. for teaching of a multi-layer laminate. Braun et al. appears to teach a laminate of a layer comprising multilobal fibers and at least one other layer of other fibers, and the other layer may comprise fibers of circular cross section. However, Braun et al. does not teach the use of multicomponent multilobal fibers. And as stated above, while Midkiff et al. does teach multicomponent multilobal fibers it does not teach that the nonwoven described therein has utility as a cleaning sheet. Therefore, even if one skilled in the art combined the teachings of Braun et al. with Midkiff et al., the present claimed invention is not derived from the teachings of the reference. That is, the references do not teach a cleaning sheet having multicomponent multilobal filaments.

Claims 32-33 and 38-40 were rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent No. 5,707,735 to Midkiff et al. in view of U.S. Patent No. 5,280,664 to Lin. Claim 34 was rejected under 35 U.S.C. 103 as being unpatentable over Midkiff et al. in view of Braun et al. and Lin. Applicants respectfully traverse this rejection.

Applicants have grouped these 35 U.S.C. 103 rejections together since the same issues are present. Lin is relied upon to teach that it is known in the art to place a cleaning sheet on a handle. However, as is stated above, Midkiff et al. does not teach that the nonwoven web disclosed therein may have utility as a cleaning sheet. Therefore, one skilled in the art would not have been motivated to place the nonwoven of Midkiff et al. on a handle in order to use the nonwoven web as a cleaning sheet. Therefore, the critical aspect missing from this rejection is the fact that Midkiff et al. fails to teach that the nonwoven web described therein has utility as a cleaning sheet.

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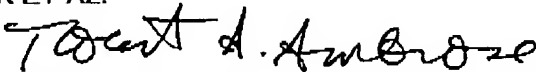
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The undersigned may be reached at: (770) 587-8908.

Respectfully submitted,

KECK ET AL.

By:



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CERTIFICATE OF FACSIMILE

I, Erminia Brown, hereby certify that on February 23, 2004 this document is being transmitted
via facsimile to the central facsimile machine at (703) 872-9306.

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